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PAPER BEFORE

MICROFICING

RAILS-TO-TRAILS CONVERSION
DESIGNED FOR MOUNTAIN BICYCLING
A FEASIBILITY STUDY

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ABSTRACT

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Title:

Rails-to-Trails Conversion Designed for Mountain Bicycling
A Feasibility Study

Abstract:

There is growing support throughout the country to utilize abandoned railroad corridors as public greenways for outdoor recreation activities. American trends for outdoor recreation enthusiasts have shown that mountain bicycling is quickly becoming a favorite activity. The feasibility of utilizing an abandoned railroad grade for mountain bicycling has been studied. Initial contacts with private property owners have been made and possibilities for potential partnership development have been addressed.

Interpretation along the designated mountain bicycle route is recommended providing opportunities for current as well as historical logging and reforestation information.

Discussions with private land-owners were favorable and the Government's proposal was accepted in concept. Final property easement details are under negotiation as of the date of publication.

Keywords

Rail/Trails, Railroad Grades, Mountain Bicycles, Bicycle Trails, Partnerships.

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EXECUTIVE SUMMARY

Title: Rails-To-Trails Conversion Designed for Mountain Bicycling
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Summary The objective of this project is to determine the feasibility of converting an abandoned logging railroad grade to a trail for mountain bicycling use. Although the main focus is on mountain bicycling use, other users will include joggers, hikers and cross country skiers. Interpretation will be provided to educate the user not only of railroad logging history, but also of current and past forest multiple-use practices. Partnerships with private landowners will be discussed and negotiated.

Contacts were made with the Rails-to-Trails Conservancy as well as various state and local agencies regarding legal

rail/trail conversion issues. Mountain bicycle enthusiasts were contacted for input on overall trail opportunities desired and local contacts were made regarding community greenway desires. Private property owners were contacted and potential easements were drafted and submitted.

The trail was surveyed for condition, accessibility, parking, scenic quality, interpretative opportunities, degree of bicycling difficulty and feasibility of closing the trail to motorized vehicles.

Discussions with private land-owners were favorable and the Government's proposal was accepted in concept. Final details of property easements are under negotiation as of the date of publication. Alternative routes were recommended in the case of unsuccessful negotiations with private landowners.

Much work is yet to be done to successfully convert the railroad grade into a trail. Private property owner follow-up is imperative. An environmental analysis is necessary before any work begins. Interpretative program development is necessary and the trail is to be surveyed for user safety. All of these needs could be taken care of before the end of fiscal year 1989 and project development could be completed by 1990.

INTRODUCTION

The Stanislaus National Forest is rich in history with many miles of old logging railroad grades, many of which run through the Mi-Wok Ranger District. The objective of this project is to select a stretch of the railroad grade for development of an interpretive route suitable for a casual trip on a mountain bicycle. The interpretation will be to educate the user not only about railroad history, but will also focus on timber management practices and how they relate to the history of the local area. This could be the first of many such projects on the District.

Although this report is focused on trail use by mountain bicycle enthusiasts, other users benefiting from the rail/trail conversion will include hikers, joggers, and cross-country skiers.

The President's Commission on Americans Outdoors indicated that America must enter a new age of partnerships between the private sector and public agencies. "The private sector holds immeasurable potential for the delivery of outdoor recreation and Americans are willing to work as volunteers to help build and maintain our outdoor recreation estate.", (December, 1986, page 6.) To accomplish this project, there are endless opportunities to develop partnerships with outside organizations. This project researches and recommends such partnerships to assist in project feasibility.

DEMAND

The 1982 Nielsen Survey for the President's Commission on Americans Outdoors indicated that bicycling rated second and jogging/running rated sixth of 30 most popular outdoor recreation activities. Also, twenty percent more of the American population participated in bicycling and walking for pleasure in 1982 than 1960, (Siehl July, 1986). In California, survey results of 38 most popular outdoor recreation activities indicated that unmet demand for bicycling opportunities and walking in open, undeveloped areas was high and public support to meet the demand was high. Both needs were rated number one on a priority list in the State Recreational Needs Assessment (California State Department of Parks and Recreation 1987).

Michael McCoy of BikeCentennial, a bicycling association based in Missoula Monatna, explained that nearly 50 percent of the bicycles sold today are of the new breed known as the "mountain bike" (October, 1988). The development of the mountain bike has created new opportunities for outdoor recreation enthusiasts. The use of the mountain bike in the national forests is relatively new. To this date, the Stanislaus National Forest has no formal bicycling routes. Visitors often stop by the ranger station and ask where they can ride in the National Forest.

According to a Rails-to-Trails Conservancy survey, in 1986 at least 10.5 million Americans utilized and enjoyed the 120-or-so rail-trail conversions that have been established throughout the country.

The Stanislaus National Forest is located in Alpine, Calaveras, Mariposa and Tuolumne counties. They receive most of the direct and indirect social and economic impacts from the Forest. They are characterized by recent rapid population growth, a relatively rural living environment, cyclical employment trends, and some dependency on the Forest for recreational activities.

From 1970 to 1980 the population in these counties grew at rates four to eight times that experienced by California as a whole. Most of this increased population is from new residents. The counties have relatively more elderly people and attract retirees at a greater rate than younger families with children (Stanislaus National Forest Draft Land Management Plan 1982).

There is an ever increasing need in the community for greenways and public places to walk, jog, and bicycle where the outdoor enthusiast can be away from motorized traffic and the bustle of urban life.

There has been much controversy in the local newspapers and at County Board of Supervisors meetings over establishing greenways throughout the community. The public is very disturbed by rapid growth and sprawling development. The Mi-Wok District Ranger, Gerald "Skip" Kowalski, met with Nell Farr of the Tuolumne County Board of Supervisors to discuss the possibility of linking this rail/trail conversion with other possible conversions in the county. The idea was met with extreme interest and enthusiasm.

BRIEF HISTORY

The Stanislaus National Forest had four railroad logging companies, Westside Lumber Company, Yosemite Sugar Pine Lumber Company, Pickering Lumber Company, and California Peach and Fig Growers. There was also a common carrier, the Yosemite Valley Railroad, along the Merced River, a rail line built to aid in the construction of the Hetch Hetchy dam and a small system used in construction of the Sierra and San Francisco Power Company's (S&SFPC) flume along the Stanislaus River. The Westside, the Pickering and the Yosemite Sugar Pine Lumber Companies were the major railroad logging operations having approximately 320, 200 and 60 miles of grades, respectively. A smaller railroad logging outfit, the California Peach and Fig Growers, and the Yosemite Valley Railroad along the Merced River, each had about 10 miles of grade on the forest. The Hetch Hetchy Railroad had about a 30 mile system within the forest boundary, while the S&SFPCo line was about 15 miles long. An educated guess from Pam Connors, our Forest Historian, is that 85 percent of the approximately 645 miles of grades have been converted to forest roads, been used as logging skid trails, or have been otherwise obliterated. Of that approximately 95 remaining miles of grade, only 40 percent would be suitable for conversion to trails, that is, stretches that would be of sufficient length, be accessible, etc... (she did not consider overgrown grades as being obliterated since, in most cases, vegetation can be removed while maintaining the grade's integrity, if it is done with care.)

METHODOLOGY

Literature Search

A literature search was conducted utilizing lecture notes from the Clemson University Shortcourse for overall project direction. The Report and Recommendations to the President of the United States by the President's Commission on Americans Outdoors, the Rails-to-Trails publication Converting Rails-To-Trails, A Citizen's Manual For Transforming Abandoned Rail Corridors Into Multipurpose Public Paths, and the Stanislaus National Forest Draft Land Management Plan were used as significant sources.

Periodicals regarding mountain bicycling, hiking and rail/trail conversion opportunities included Outside, Sunset, American Forests, Field and Stream, Trailblazer, and Backpacker Magazine. Various bicycling magazines have carried many feature articles concerning mountain bicycles.

Conversations with local bicycle shops, bicycle clubs, various State and local agencies as well as other District employees were also used as significant sources.

Rails-to-Trails Conservancy

Peter Harnik of the Rails-to-Trails Conservancy (RTC) was contacted for information. Peter explained that in 1985 the RTC was developed to assist the American public in acquiring abandoned, or soon-to-be abandoned railroad grades to be used for recreational purposes. Peter sent the author literature on the

RTC and recommended purchasing the publication Converting Rails-To-Trails, A Citizen's Manual For Transforming Abandoned Rail Corridors Into Multipurpose Public Paths, (Citizen's Manual) (RTC October, 1987).

The purpose of the Citizen's Manual is "to provide individuals and citizen organizations with the basic information and organizing techniques needed to convert abandoned railroad rights of way into trails." (Harnik 1987). The Citizen's Manual presented an overview of the challenge presented in search of the ideal trail.

Selecting a trail

Stuart Crook of BikeCentennial estimates that 80 percent of the mountain bikers never leave the road, the majority preferring graded roads away from motorized vehicles (Hain 1987). The same conclusion was reached in the author's literature search and in discussions with local mountain bikers. Since there were many trails to choose from, a stretch along the railroad grade that was already in good, road-like condition was preferred.

Pam Conners, Stanislaus National Forest Historian, was approached to discuss possible routes. She presented an atlas that she prepared indicating all of the railroad grades on the forest. The project was to take place on the Mi-Wok Ranger District. A location that would be convenient, easy to reach in a 2 wheel drive vehicle, with ample parking was sought out. Scenic qualities and interpretive opportunities were also considered.

The first railroad grade considered was part of the Westside Lumber Company line near Bourland Meadows. It is an extremely scenic area that is rich in history. An old railroad trestle is still standing along Bourland Creek. When the area was inventoried, it was decided that it was not conveniently located and the trail needed a lot of work. This would not be an appropriate first attempt at a rail/trail conversion but would be an outstanding candidate for inclusion in a network of trails in the future. So the search continued.

The selected railroad grade is located just outside of the town of Twain Harte through the back-country to the town of Strawberry. It is part of the Pickering Lumber Company line. The route presently is used by a handful of mountain bike enthusiasts, hikers, joggers and off-highway vehicles. A Forest Service Campground (Fraser Flat) is located along the way, so the user could begin the ride from either end of the railroad grade, or from the middle of the route and ride in either direction. The route appeared to be in good repair and rich in bicycling and interpretive opportunities. The distance from Twain Harte to Strawberry is approximately 14 miles, one way.

What is the status of those tracks?

The RTC Citizen's Manual (page 11) indicated that there are six categories that the railroad grade could fall into:

1. Active tracks - Those that are currently being used.
2. Inactive tracks - Those that are available for railroad use.

3. Abandoned tracks (or corridor) owned by the railroad - Those that the Interstate Commerce Commission gave the railroad legal permission to abandon but the railroad has not yet disposed of.
4. Abandoned tracks (or corridor) owned by a government agency.
5. Abandoned tracks (or corridor) owned by a single private individual or company.
6. Abandoned tracks (or corridor) owned by many individuals or companies.

The Public Utilities Commission in San Francisco (October, 1988) confirmed that the railroad grade in question was formally abandoned. The Citizen's Manual indicated that "if your rail corridor has already been formally abandoned, you are undertaking an effort that has no official "rules" and no referee...your success will depend upon your ingenuity and tenaciousness", (page 17). Half of the railroad grade was administered by the Forest Service, falling into category 4, abandoned tracks (or corridor) owned by a government agency. A property search to identify ownership of the private property was the next step.

Property ownership search

The Forest maps indicated that certain stretches along the selected route were on private property. An ownership search along the entire route was conducted, finding four private property owners. One was a local timber industry company, (Fiberboard Corporation) another was a utility company, (Pacific Gas & Electric Company) and the other two were private individuals.

Contacts with private property owners

Developing the trail on the railroad grade is a good opportunity for partnership agreements with private land-owners. Skip Kowalski, the Mi-Wok District ranger made the initial contact with Dick Pland, President of the Sonora branch of Fiberboard, Corp. Results were favorable. Dick saw this as an opportunity to make contact with the public and explain about Fiberboard Corporation. Contact with PG&E had already been made, as the District was working on their Off-Highway Vehicle plan and the area in question was already an issue.

The proposed trail passes Lyons Lake which stores the local water supply. Apparently, PG&E is having problems with OHV users abusing the area, causing serious environmental and water quality problems. PG&E approached the Forest Service with the desire to close off the area completely to forest users. They asked us for our cooperation on the matter. Skip brought up the idea to possibly leave the area open for trail use, but to keep all motorized vehicles out. A meeting was called with Skip, Bill Farrell, the Forest Lands and Minerals Staff Officer, Marcie Purdue of PG&E and the author to discuss the possibilities of use for mountain bicycling and hiking. Alternatives were discussed and Marcie asked for a written proposal that she could take back to her colleagues. (See exhibit 1).

Steve Robertson, the District Resource Officer, Jayne Montoya, the Forest Lands Officer, Bill Snyder, Fiberboard's Lands Officer, and the author met at Fiberboard, Corp. to discuss the logistics of the portion of the project on

Fiberboard land. Bill agreed to discuss the project with his corporate lawyers.

PG&E and Fiberboard, Corp. are the largest private land-owners and the project was not feasible without their consent. Once negotiations appeared favorable with PG&E and Fiberboard, letters were sent out to the two individual private land-owners explaining the proposed project. (See exhibit 2).

- . Discussions with all four private land-owners, (two individual and two industries), were favorable and the Government's proposal was accepted in concept. Final details of a license agreement or a permanent recreational easement are under negotiation as of the date of publication.

Fieldwork

The trail was delineated on the maps and aerial photos. Potential access to the railroad grade from adjacent roads and trails were also located on the photos. The author headed out into the woods, equipped with maps, aerial photos, compass, clinometer and camera. Trail condition, accessibility, scenic quality, interpretive opportunities, degree of bicycling difficulty, and feasibility of closing the trail to motorized vehicles was to be determined.

All potential locations for interpretation were located on the ground as well as potential problem areas for trail closure. The degree of difficulty was extremely easy. The maximum sustained pitch along the whole length never exceeded 5 percent. The maximum pitch was not more than 10 percent. Referring to the Mountain Bike Trail Guide in the Forest Service Handbook 6/85, the trail

would be classified as "Easiest". (See exhibit 3). Since this was the first of many mountain bicycling opportunities on the District, it was decided that an easy route would fit the needs of the most people. This way, bicycling enthusiasts of all abilities could enjoy the route. There were many areas adjacent to the main railroad grade that could be used by the more experienced rider. Alternate routes were scouted out and also identified on the map.

ISSUES

There are many issues concerning the feasibility of developing this trail for bicycling and hiking on the railroad grade. An environmental analysis will be prepared before any project work can begin. At that time, an interdisciplinary team will be formed and all environmental issues will be identified and addressed. A public comment period will be allocated and all public concerns will also be identified and addressed. The instances and themes outlined below capture the issues that have been generated as of the date of publication.

Partnerships

Private lands constitute nearly two-thirds of our nation's land base and host many recreational activities. Projections of overall recreation demand made in 1962 for the year 2000 were reached in 1980, (PCAO 1986, p. 147). Considering current governmental budget constraints, funding for additional recreational land holdings are unlikely. The need to develop partnerships with private land holders to aid in future recreational demand is ever increasing.

The railroad grade between Twain Harte and Strawberry runs through approximately six miles of private property. Opportunities were identified for partnerships by which all parties involved could benefit.

One immediate benefit in partnership development is that this project will give PG&E and Fiberboard a chance to educate the public about their corporations and their land-use policies and procedures. The interpretive portion of the project will be mutually prepared and agreed upon. In meetings with both corporations, this was discussed and conclusions were favorable.

Casey Buchter (1989) of the California Department of Recreation Legal Office said that the State of California gives tax breaks through donation of public recreation easements. Specific details regarding state tax issues vary with property assessments. Individual cases are determined between the individuals, their tax accountant and the IRS.

Garbage has been a problem along the railroad grade. The area in question is fairly remote and people seem to use it as a dumping ground. If partnerships are developed, motorized vehicles will be excluded from the area and garbage dumping will be inconvenient. Also, Forest Service maintenance and patrol will be a regular occurrence.

Easements and liability

In correspondence with all four private land-owners, the Government proposed that an easement along the railroad grade for recreational trail use be obtained. A sample easement (deed) was included in the letters to private

land-owners. A major concern with PG&E and Fiberboard, Corp. has been liability.

"Approximately 47 states have recreational use statutes which provide protection for private landowners when the public uses their land for recreation. Lease agreements between the landowners and a public agency may also help to relieve private landowners of exposure to liability", (PCAO 1986, p.156). California has such statutes. Casey Buchter (1989) said that the Government could obtain lease agreements in two ways.

The Government could work out an indemnity (or licence) agreement with the private land-owners that would help to alleviate liability in the event that a tort claim was filed. This agreement would not totally eliminate the liability of the private land-owner, as the Government would not have control over trail management without an easement.

The other suggestion that Casey had was to enter into an agreement with the private land-owner through an easement with an indemnity clause that held the Government responsible should a tort claim be filed. The easement would hold the Government responsible for trail management as well as liability issues. This agreement would also not totally eliminate the liability of the private land-owner but may be a stronger argument should a tort claim be filed against them. (See exhibit 4 for a sample indemnity clause to be added to the easements at private land-owners request).

"Society imposes duties of care on individuals and organizations, such as the Forest Service. A person who unintentionally harms another or violates another's rights may still be liable for injuries caused if they acted negligently", (Hronek). This brings up the issue of safety. If an attempt is made to identify and remove, or bring to the users attention, the safety hazards of the area, it would then be difficult to prove negligence in the court, providing proper documentation is available.

Safety

The Citizen's Manual states "Obviously trails need to be properly and safely designed. Bridges need adequate planking and strong railings, tunnels need to be protected from rock falls and trestles need to be certified secure. Nevertheless, it is widely realized that within the spectrum of public facilities, trails are inherently quite safe--far less of a risk than roads ...". (page 59). The proposed trail will be looked at closely for potential hazards and either the hazards will be corrected prior to trail opening, or identified as hazards with adequate signing. Documentation of all attempts to provide a safe environment will be kept to be used in court should the need arise.

Stanley Bales of the Bureau of Land Management told me of a document published by the American Association of State Highway and Transportation Officials in Washington D.C. called the Guide for Development of New Bicycle Facilities. It is a chapter of the Manual of American Association of State Highway and Transportation Officials. Stanley used the document in developing safety guidelines for the Biz Johnson trail, a 25 mile rail/trail conversion in

Susanville, California. It is a good reference and Peter Harnick of RTC said that if the Government utilizes the information published in the manual it will be a strong argument should a tort claim be filed.

National Off Road Bicycling Association (NORBA) published an "off-road cyclist code" that will be posted at the trail head, and written in interpretive brochures for user distribution. (See exhibit 5).

Lastly, bicycling safety equipment such as helmets will be recommended to the trail user.

Turning the road into a trail

The railroad grade is presently used for motorized traffic. This project will take the railroad grade out of the road system and designate it as a trail, restricting motorized traffic. This proposed restriction raises many questions. Present OHV users will want justification for this decision. PG&E and Fiberboard want to retain the right to use motorized vehicles on their property for administrative purposes and the District uses the road as a haul route.

The Forest is presently working on an off-highway vehicle plan and the District representatives are aware of the proposed change. The preferred alternative in the OHV plan excludes the railroad grade as an OHV authorized road. Looking at the OHV plan as a whole, excluding this section has little impact on the OHV opportunities on the Forest.

Motorized traffic for administrative purposes for PG&E and Fiberboard will be written into trail easements when they are negotiated. These rights will have no detrimental effect on the trail, as the Forest Service will maintain close communication with the industries insuring that any hazards to the recreational users will be identified ahead of time.

The portion of the railroad grade that the Forest Service uses as a haul route could continue to be used and the trail will be closed for the duration of the timber sale.

INTERPRETATION

The Forest Service's national objectives for visitor information services is "to use interpretation and information as a means of developing with National Forest visitors a better understanding of forest resources and land, multiple-use-management, natural resources, conservation and protection, natural and human history, recreational opportunities and Forest Service responsibilities and activities. Also, to add to the visitor's enjoyment of the national forests and to stimulate visitor's curiosity and satisfy their desire for understanding natural resources and their relationship to the human environment" (USDA, Forest Service 1980, page 1). Converting the railroad grade to a trail provides the Forest Service with the opportunity to interpret the area and meet the national objectives.

The railroad grade winds through the back-country, passing Lyons Lake that stores the local water supply. The water is run through ditches from the lake to reach the county users. Flumes are set up along the way to carry the water

over canyons and through large drainages. These ditches and flumes were installed during the gold rush era bringing water into the county for gold mining. The lake is fed from the South Fork of the Stanislaus river and the railroad grade follows the river both above and below the lake. There is evidence of railroad logging camps in one location and there are great opportunities for current as well as historical logging and reforestation interpretation.

One way to accomplish the interpretive needs for the trail is to set up a kiosk at either end of the trail as well as at Fraser Flat campground. Areas to be interpreted could be marked on the ground with number posts and information about the area could be interpreted in brochures. Brochures could be printed with interpretive information about the trail and distributed at the kiosks. Safety guidelines and the NORBA Code of Ethics could be printed in the brochures as well as posted in the kiosks.

ADVERTISING THE TRAIL

Brochures with trail interpretation could be available at all of the district ranger stations, at the local bicycle shops and sporting good stores as well as at the Tuolumne County visitors bureau, and other local agencies and businesses. Articles about the trail could be published in local as well as outlying area newspapers. BikeCentennial Association publishes the Cyclists' Yellow Pages that lists suggested places to ride in the United States. They have already contacted the forest for any trails that we wish to include. There are endless opportunities for announcing the trail in various bicycling or any outdoor enthusiasts magazine.

FUNDING

The author recommended to the District Ranger that this project be considered for Recreation Challenge Cost Share dollars. The Forest Service Chief's office has asked that the following guidelines be followed when considering projects for funding:

1. Projects meet direction in Forest Plans. The proposed trail is in an area that is classified Semi-Primitive Motorized in the Recreation Opportunity Spectrum (ROS) (USDA, Forest Service 1986). The Stanislaus National Forest Draft Management plan states that road development will be limited to low density, primitive routes. Existing roads not needed will be obliterated. The proposed project will compliment this forest plan directive as it will designate the existing road, a trail.
2. At least 50 percent of total project cost be borne by cooperators. If private landowners donate easements to the Government for trail construction, that alone would account for a minimum of 50 percent of the costs. The district also plans to utilize volunteer groups for brochure design, trail maintenance and patrol, and kiosk materials and installation.
3. Projects in Congressionally designated areas be given special consideration. (Not applicable).
4. Projects on Forests near urban areas are to be favored. The Mi-Wok Ranger District is located in an area next to the most densely populated portion of Tuolumne County. It is also approximately two hours from Sacramento and three hours from San Francisco. There are numerous small towns and cities between Tuolumne County and these large metropolitan areas.

5. Preference should be given to projects with high visibility and strong, diversified public support. The Rails to Trail Conservancy was created in Washington, D.C. as a response to national concern of the rapid disintegration of our national rail corridor system. The Conservancy passed the 24,000-member mark in December, 1988, increasing it's membership eight-fold during the year (RTC Trailblazer, January - March, 1989). There is strong public support all over the country for projects of this kind.
6. Emphasize cash and materials rather than contributions of labor. The Mi-Wok District plans to utilize volunteer support for brochure design, trail construction and patrol, kiosk installation, as well as community support for donations of materials and supplies.

CONCLUSIONS AND RECOMMENDATIONS

There is much to be done to successfully turn the railroad grade into a trail. Follow-up with all four private land-owners is imperative. Effective communication is essential to finalize easement negotiations. An environmental analysis is necessary before any real project work begins. An interpretive program is to be developed and the trail is to be surveyed for user safety. All of these needs could be taken care of in fiscal year 1989, and the project should be completed by 1990.

Should private landowners not comply with our requests, alternate routes are recommended and designated on maps. (See exhibit 6 for preferred alternative and suggested alternate routes).

VISION OF THE FUTURE

Vision and action are the goals of the future in recreation. We, as land managers in the Forest Service, have an established land base to improve upon. We need to inventory what we have and identify what is special about the area so that we can determine what we want to perpetuate and improve upon.

The Stanislaus National Forest has approximately 645 miles of abandoned railroad grades. This trail conversion project is the first of many that can be undertaken on the Forest. Envision a series of trails linking District to District, eventually, Forest to Forest, Community to Community, and on and on. The Rails-to-Trails Conservancy put it nicely, "Picture an emerald necklace... or what the President's Commission on Americans Outdoors calls "a greenway of trails"... linking America...where hikers and cyclists, joggers and strollers, cross-country skiers, people in wheelchairs, young or old, active or physically impaired, can enjoy..in cities and rural communities across the country..some of America's most beautiful natural scenery." This project is one small step in that direction, but nationally, the ball is already rolling and each step gets us closer to that dream.

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Purdue, Marcie

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EXHIBIT 1

United States Department of Agriculture	Forest Service	Mi-Wok Ranger District	P.O. Box 100 Mi-Wuk Village, CA 95346 (209) 586-3234
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Marcie Purdue
Pacific Gas & Electric Hydrogeneration
77 Beale Street Room 1301
San Francisco, CA 94106

Feb. 1, 1989

Dear Marcie,

I am writing regarding the discussion we had in our meeting in Sonora on Wednesday, February 1, 1989. As you are aware, the Mi-Wok Ranger District on the Stanislaus National Forest is interested in developing a trail that will run along the railroad grade from Twain Harte to Strawberry in Tuolumne County. A portion of this trail runs through PG&E land. The area in question is T.3 N., R.16 E., Sec. 13 & 24, and T. 3 N. n. 17 E., Sec. 5, 7 & 8 (see attached map). The proposed trail would be used exclusively for hiking and bicycling and no motorized traffic will be allowed. Administrative use by PG&E and Fiberboard would not be affected by the proposed project. We are aware of your desire to close off this area completely from public use but are asking you to consider opening this section of PG&E land for this low-impact recreational opportunity.

You brought to our attention your reasons for the closure, and I would like to take this opportunity to address those issues. We plan to prepare an Environmental Analysis should this project be considered further and your concerns would be formally addressed at this time. The following responses are how we currently view the potential impacts and are not intended to bypass the EA process and further discussions with you.

- 1) Water quality at Lyons Lake - With proper signing and interpretation we feel that we can keep people out of the area in question. We would be willing to work with you regarding these details. This project includes interpretation all along the route and may give you an opportunity to educate the public about the Lyons Lake reservoir, the environment, or PG&E in general.
- 2) Environmental damage - We feel that hiking and bicycling would cause little environmental damage. Again, public education is an issue here and will be covered in the interpretation.
- 3) Wildlife corridor - The planned use is expected to have little impact on wildlife. We can discuss any problems you have regarding this issue.

4) Cultural resources - Another opportunity for discussion and interpretation.

We are interested in obtaining a recreational or trail easement on the railroad grade (30 feet wide) that would allow the U.S. Forest Service to manage this trail. Regarding trail maintenance, we are prepared to assume responsibility for any maintenance that would be required in addition to what is required for your service trucks; however, we don't anticipate that any will be necessary.

Policing the area is necessary whether the trail is there or not, but we realize that bringing people into the area will require a more intense patrol. A possible solution could be to set up a patrol utilizing volunteers. This method of patrol is currently being done with our OHV trails and has been successful when used in conjunction with our regular patrol with Forest Service personnel.

We also may have the opportunity to reclassify the area adjacent to PG&E property in our Forest plan. Special designation to keep motorized traffic out of these lands could assist you in your management of the area.

Another question that was raised is, how can we justify opening the area to one user group and exclude another. We feel that this project fits nicely with what you are trying to do in the area. Other areas on the Forest are set aside for other uses. We are now trying to implement an OHV plan that will adequately accommodate the overflow that will occur by excluding OHV users from Lyons Lake.

We realize that your top priority is to protect the environment and water quality at Lyons Lake. We are also concerned for your interests and would like to seek a compromise that would satisfy both needs. We look forward to further discussions on this matter.

Sincerely,

GERALD J. KOWALSKI
District Ranger

EXHIBIT 2

UNITED STATES
DEPARTMENT OF
AGRICULTURE

FOREST
SERVICE

Stanislaus National Forest
19777 Greenley Road
Sonora, CA 95370
(209) 532-3671

5460

Mr. and Mrs. Jarry Beltran
454 Sobrato Drive
Campbell, CA 95008

Dear Mr. and Mrs. Beltran:

The Forest Service is becoming more involved in the development of trails on National Forest lands. You've no doubt heard of the Rails to Trails Program.

The MiWok District on the Stanislaus National Forest is proposing to develop a bike trail. The trail would follow the old Sugarpine Railroad Grade from South Fork Road to Strawberry. I have attached a map which illustrates the location of the proposed trail.

Your property is one of the private parcels that the trail crosses. We are interested in acquiring a permanent trail easement across your property. Although the railroad grade would not substantially change from its current condition, an easement would give the Forest Service the right to both manage and maintain the trail.

The first step in the process is for you to grant us permission to enter, survey, and appraise your property. A letter is attached for you to sign and return in the enclosed envelope granting us permission to survey. The survey will give us an accurate description of what you would be granting in the easement.

The next step can go one or two ways. The first way is to do an appraisal to determine an estimate of just compensation. The Federal Rule (or Before and After Value Approach) would be used. You are entitled to receive the appraised value for the easement. However, you may also waive this right. If you would be willing to grant the easement and waive your right to an appraisal, this would save us time and the cost of the appraisal. Since this may be a grant below market value, it may be construed to be a donation. However, this would have to be determined between yourselves and the Internal Revenue Service. If you would like to make such a grant, you would need to sign a waiver like the one enclosed.

The next step would be to prepare an easement deed for your consideration as soon as we get the description from the survey. A sample easement deed is enclosed for your review.

EXHIBIT 2

Thank you for your consideration of this request. We look forward to receiving your permission to survey and your cooperation.

Sincerely,

ARTHUR L. SMITH
Recreation and Lands Staff Officer

Enclosures

EXHIBIT 2

UNITED STATES
DEPARTMENT OF
AGRICULTURE

FOREST
SERVICE

Stanislaus National Forest
19777 Greenley Road
Sonora, CA 95370
(209) 532-3671

REPLY TO : 5460

Date:

TO: Forest Supervisor, Stanislaus National Forest

This letter is to advise you that we are willing to grant the United States an easement for a trail across the property in the SE1/4 NE1/4 portion of Section 4, T.2N., R.16E., M.D.M.

We will grant this easement for a consideration of \$1.00. We understand that we are entitled to just compensation under Public Law 91-646, as determined by an appraisal, of the property affected.

We hereby waive this right.

Henry Beltran

Pauline F. Beltran

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
Stanislaus National Forest
19777 Greenley Road
Sonora, Ca 95370

REPLY TO: 5460

SUBJECT: Trail Easement

TO: Forest Supervisor
Attn: Jayne Montoya
Stanislaus National Forest
19777 Greenley Road
Sonora, CA 95370

I hereby grant permission to the U.S. Forest Service to enter my property located in T. 2N., R. 16E., M.D.M., Section 4, Portion of SE1/4 of NE1/4 for the purpose of surveying and appraising a proposed right-of-way for a trail across this property.

Date: _____

Signed: _____

Address: _____

City, State: _____

Telephone No: _____

SAMPLE DEED

EASEMENT FOR A TRAIL

We, Henry Beltran and Pauline F. Beltran, husband and wife, hereinafter called Grantor, in consideration of \$ _____ and other good and valuable consideration, the receipt hereof is hereby duly acknowledged, grant unto the United States of America and its assigns, hereinafter called Grantee, an easement for a trail over parcels of land in the County of Tuolumne, State of California, described as follows:

Mount Diablo Meridian, California

T.2N., R.16E.,
Section 4, Portion of SE1/4NE1/4

The said easement hereby granted is for the construction, reconstruction, maintenance and full, free and quiet use and enjoyment of a trail for hiking and riding and not to include mechanized use (except for reconstruction and maintenance), over and across the above described premises according to the attached plat marked Exhibit A attached hereto and made a part hereof.

The width of said easement shall be 30 feet, 15 feet on each side of the centerline, or more if necessary to accommodate cuts, fills and proper drainage. The boundary line of said easement shall be prolonged or shortened to begin and end on and conform to the Grantor's property lines.

The acquiring agency is the Forest Service, Department of Agriculture.

The Grantors reserve unto themselves, their successors, and assigns, the right to cross and recross the easement at any point and for any purpose in such a manner as will not materially interfere with Grantee's use of the trail.

Grantors reserve unto themselves, their successors, and assigns, the right to use the portions of said easement not actually used for trail purposes in such a manner as not to unreasonably interfere with the use of the trail by the Grantee or its authorized users, or cause substantial injury thereto.

If the Regional Forester determines that the trail or any segment thereof, is no longer needed, the easement traversed thereby shall terminate. The termination shall be evidenced by a statement in recordable form furnished by the Regional Forester to the Grantors, or their successors or assigns in interest.

IN WITNESS WHEREOF, Grantors has executed this Easement Deed on the day and year first above written.

BY

HENRY BELTRAN

BY

PAULINE F. BELTRAN

ACKNOWLEDGEMENT

State of _____)
) SS
County of _____)

On this _____ day of _____, 19____, before me _____,
a Notary Public in and for said State, with principal office in
_____ County, personally appeared _____.
 personally known to me.
 proved to me on the basis of satisfactory evidence
to be the person(s) whose name(s) is (are) subscribed to this
instrument, and acknowledged that _____ executed it.

WITNESS my hand and official seal.

Notary's Signature

Notary's Printed Name

TRAILS MANAGEMENT HANDBOOK

Mountain Bike Trail Guide

	Easiest	More Difficult	Most Difficult ^{1/}
<u>Grade</u>			
Max. Pitch	10%	30%	+30%
Max. Sustained Pitch	5%	10%	15%
Length	100'	300'	500'
Turning Radius	6'	3'	2'
<u>Length of Trip</u>			
Day	10-20 mi	20-40 mi	40-50 mi
One-half Day	5-10 mi	15-20 mi	20-25 mi
<u>Clearing^{2/}</u>			
Width	48"+	36"-48"	36"
Height	8'	8'	Max. 8'
<u>Tread^{3/}</u>			
Width	24"+	12"-24"	12"
Surface	Relatively Smooth	Sections of Relatively Rough Surface	Varied--Some Portage Required

^{1/} Upper limit of grade and pitch length depends on soil type, amount of rock, vegetation type, and other conditions affecting stability of the trail surface.

^{2/} Curve alignment to avoid cutting large trees.

^{3/} Increase tread width 6 inches on switchbacks or where side slopes exceed 60 percent.

EXHIBIT 4

INDEMNITY CLAUSE

To the extent that it may legally do so, Grantee agrees that it shall indemnify and hold harmless the Grantor, its employees, agents, successors and assigns, from and against all claims, liens, encumbrances, actions, loss, damage, expense and/or liability arising from or growing out of loss of or damage to property, including Grantor's own property or injury to or death of persons, resulting in any manner whatsoever, directly or indirectly, by reason of the exercise of the rights hereby granted; provided however, that this covenant shall not apply in those instances where such claims, liens, encumbrances, proximately caused in whole or in part by any active negligence of Grantor.

EXHIBIT 5
NATIONAL OFF ROAD BIKING ASSOCIATION (NORBA)
CODE OF ETHICS

One of NORBA's objectives is to educate people about responsible riding. The NORBA "off-road cyclists code" is circulated at many bike shops. Most biking periodicals emphasize responsible riding following the "NORBA Code" as listed below:

1. I will yield the right of way to other non-motorized recreationists. I realize that people judge all cyclists by my actions.
2. I will slow down and use caution when approaching or overtaking another and will make my presence known well in advance.
3. I will maintain control of my speed at all times and will approach turns in anticipation of someone around the bend.
4. I will stay on designated trails to avoid trampling native vegetation and minimize potential erosion to trails by not using muddy trails or short-cutting switch backs.
5. I will not disturb wildlife or livestock.
6. I will not litter. I will pack out what I pack in, and pack out more than my share whenever possible.
7. I will respect public and private property, including trail use signs, no trespassing signs, and I will leave gates as I have found them.
8. I will always be self-sufficient and my destination objective and travel speed will be determined by my ability, my equipment, the terrain, the present and potential weather conditions.
9. I will not travel solo when bike packing in remote areas. I will leave word of my destination and when I plan to return.
10. I will observe the practice of minimum impact bike packing by, "taking only pictures and memories, and leaving only waffle prints."

EXHIBIT 6
ALTERNATIVES
(See attached maps)

Alternative 1

Preferred alternative. Uninterrupted run along the railroad grade from Twain Harte (A) to Strawberry (F).

Alternative 2

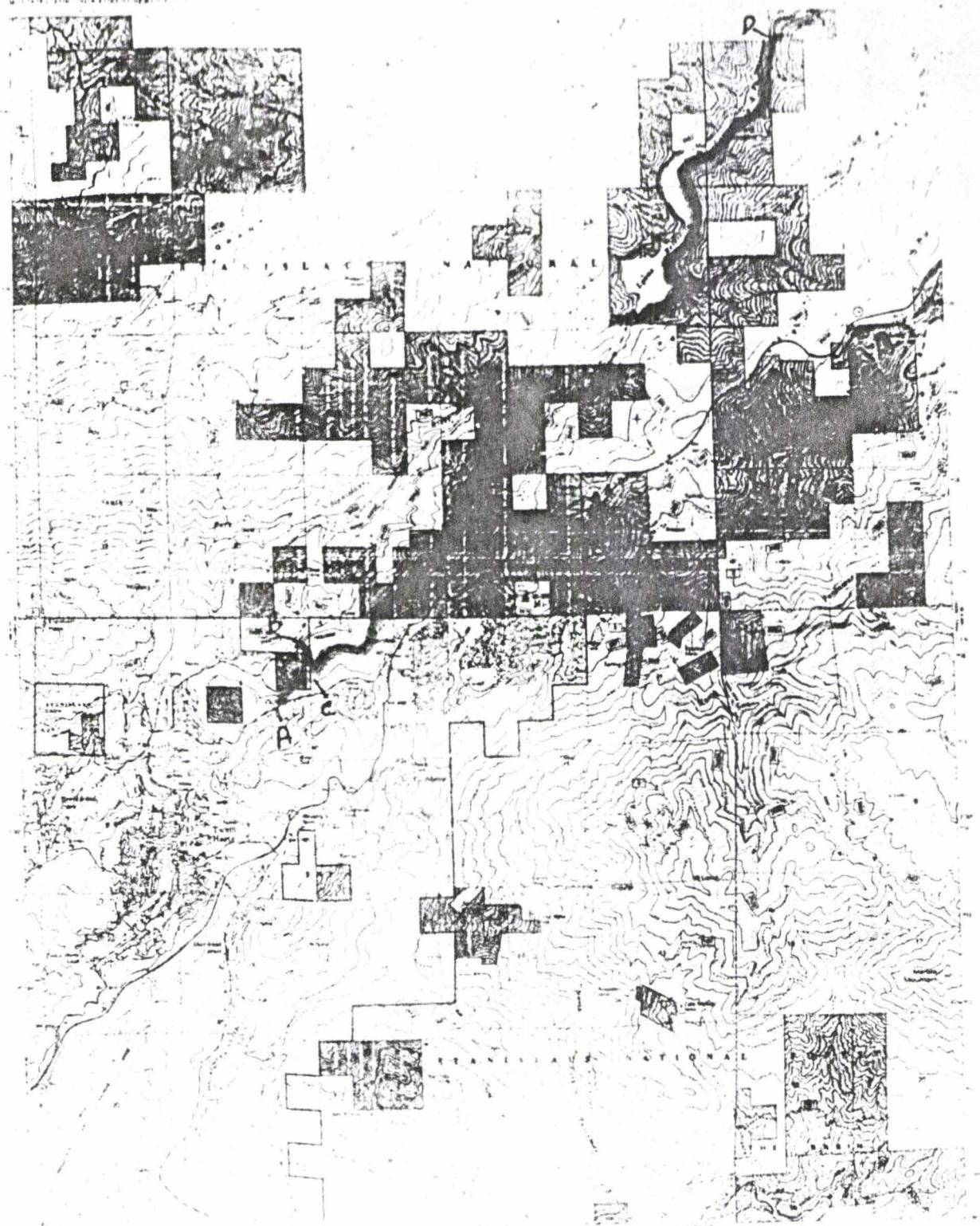
Construct access road from South Fork Road (B) to the railroad grade (C) in the event that private land-owners do not wish to cooperate.

Alternative 3

Utilize the railroad grade from Strawberry (F) to Fiberboard land (D) should Fiberboard not wish to cooperate.

Alternative 4

Utilize the railroad grade from Strawberry (F) to PG&E land (E) should PG&E not wish to cooperate.



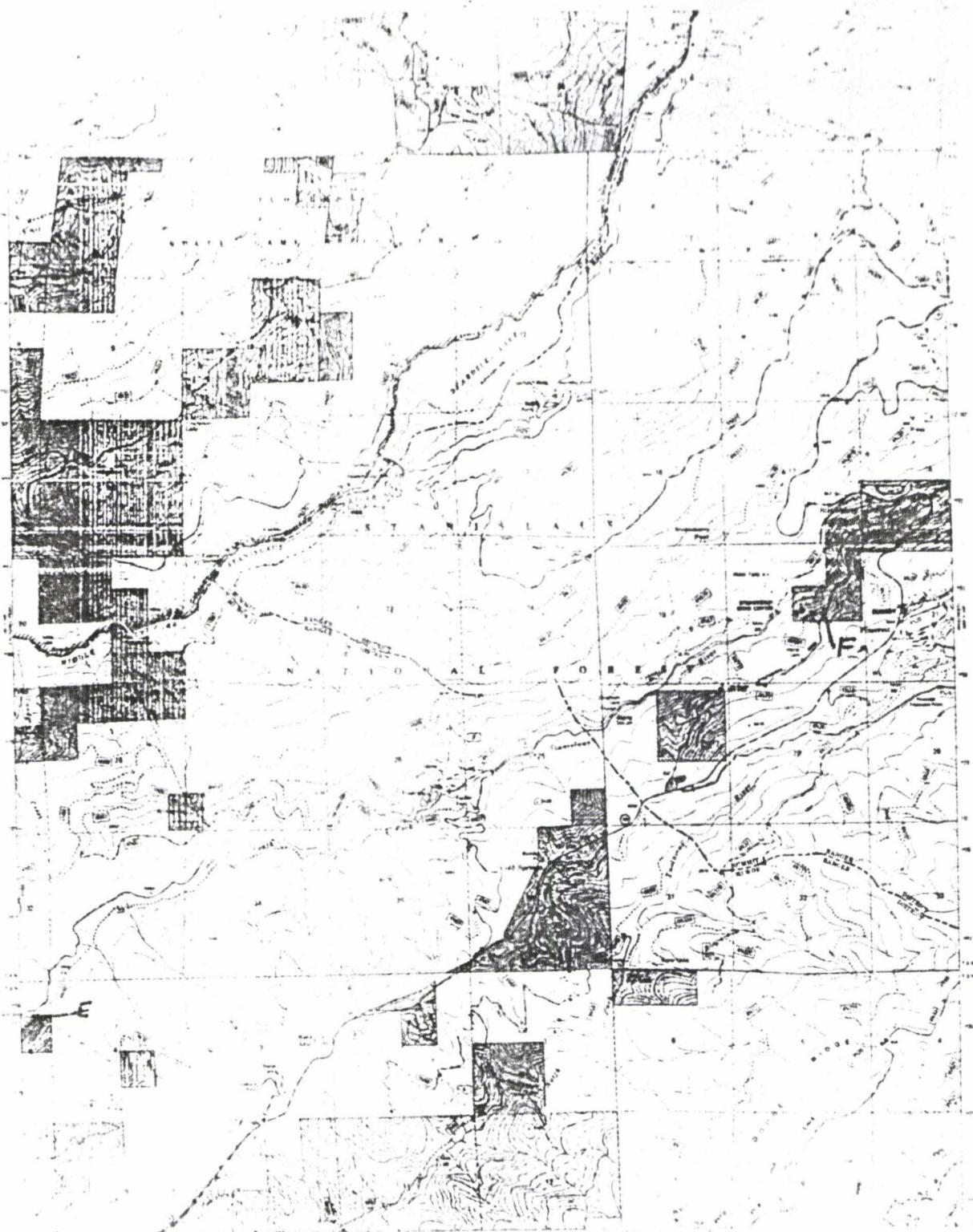
Fiberboard

P648

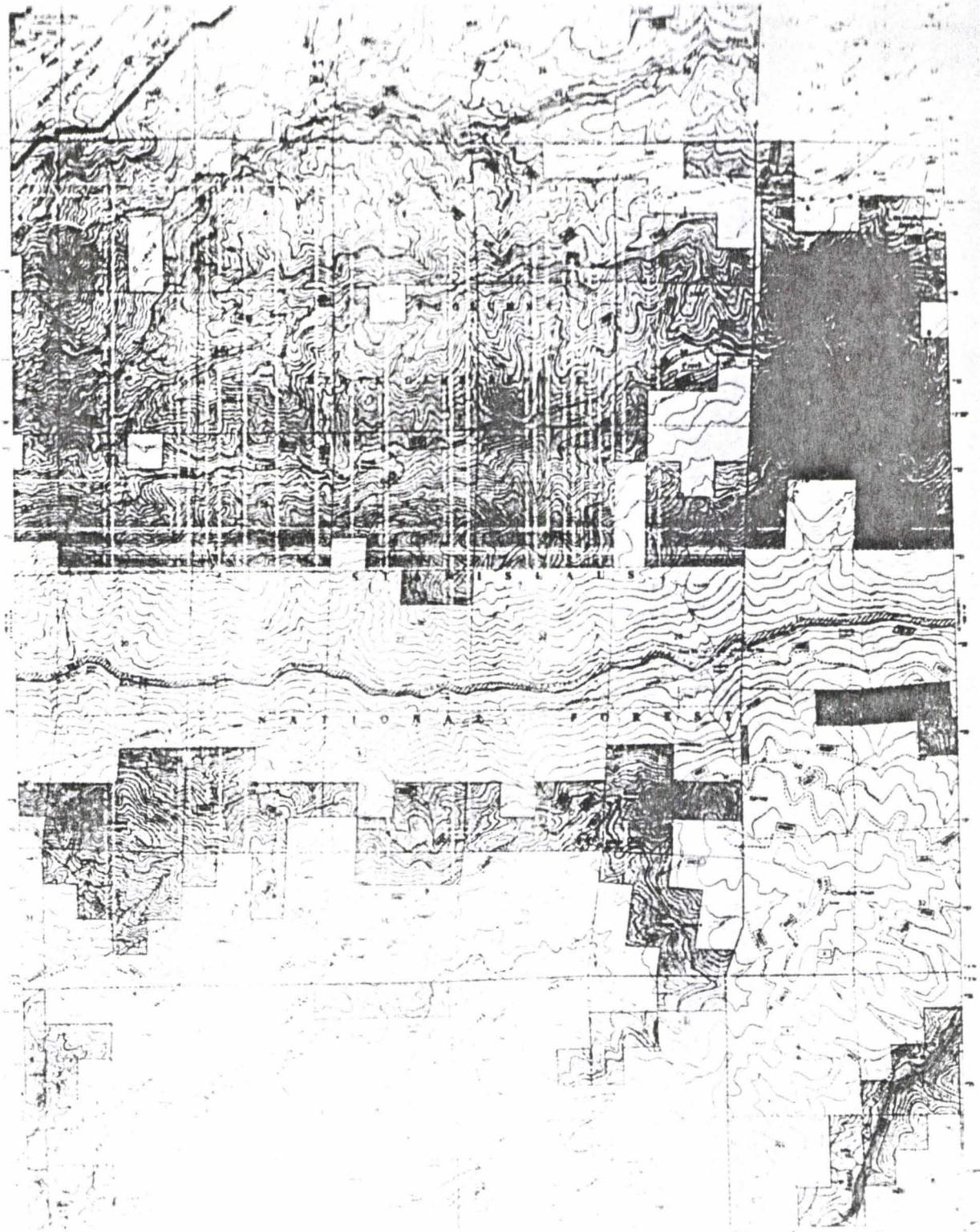
Other Private

U.S. F.S.

IMPERVIOUS ACCESS ROAD CONSTRUCTION



USFS
Page



PAGE